

Federal Advisory Committee (FAC) Membership Balance Plan

Please read the Federal Advisory Committee Membership Balance Plan Guidance prior to completing this form.

(1) FEDERAL ADVISORY COMMITTEE NAME

State the legal name of the FAC

Northeast Corridor Safety and Security Committee

(2) AUTHORITY

Identify the authority for establishing the FAC

The Passenger Rail Investment and Improvement Act (PRIIA) of 2008, Section 212, codified at 49 U.S.C. 24905(f) requires the Secretary of Transportation to establish a Northeast Corridor Safety Committee and to appoint its members. This Committee is being established in accordance with the provisions of the Federal Advisory Committee Act (FACA) as amended, 5 U.S.C. App.

(3) MISSION/FUNCTION

Describe the mission/function of the FAC

The Committee's objective is to make safety and security recommendations concerning rail operations on the Northeast Corridor (NEC) and report such recommendations to the Secretary. The Secretary shall consult with the Committee about safety and security improvements on the NEC main line. The Committee will provide a forum for discussion of safety and security issues arising out of rail operations on the NEC and make safety and security recommendations to the Secretary. At the beginning of the first session of each Congress, the Secretary shall submit a report to the Northeast Corridor Infrastructure and Operations Advisory Commission and to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of efforts to improve safety and security on the Northeast Corridor main line. The report shall include the safety and security recommendations of the Committee and the comments of the Secretary on those recommendations.

(4) POINTS OF VIEW

Based on understanding the purpose of the FAC,

- (a) describe the process that will be used to ensure the committee is balanced, and identify the categories (e.g. individual expertise or represented interests) from which candidates will be considered;*
- (b) consider identifying an anticipated relative distribution of candidates across the categories; and*
- (c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members*

Congress has specified the membership composition of the Committee in 49 U.S.C. 24905(f). The statute provides that members of the committee shall be representatives of (A) the Department of Transportation, including the Federal Railroad Administration; (B) Amtrak; (C) freight carriers operating more than 150,000 train miles a year on the main line of the Northeast Corridor; (D) commuter rail agencies; (E) rail passengers; (F) rail labor; and (G) other individuals and organizations the Secretary decides have a significant interest in rail safety or security. We have developed a proposed membership list of organizations and/or individuals that represent all of the groups specified in the statute.

(5) OTHER BALANCE FACTORS

List any other factors your agency identifies as important in achieving a balanced FAC

If organizations or individuals are later identified that fit into one of the specified statutory categories for membership, or that the Secretary determines have a significant interest in rail safety or security on the NEC, they may be added as committee members.

(5) CANDIDATE IDENTIFICATION PROCESS

Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance. The summary should:

- (a) describe the process*
- (b) identify the agency key staff involved (by position, not name)*
- (c) briefly describe how FAC vacancies, if any, will be handled by the agency; and*
- (d) state the membership term limit of FAC members, if applicable*

(A) The list of organizations and/or individuals proposed for membership was compiled by examining the following, in addition to the authorizing statute for the committee: the membership list of the preexisting Northeast Corridor Safety Committee; the membership list of FRA's Rail Safety Advisory Committee; and lists of commenters on recent rail safety and security rulemakings. **(b)** Agency key staff involved in determining balance for the committee were the Special Assistant to the Associate Administrator for Safety/Chief Safety Officer, the Railroad Safety Advisory Committee Designated Federal Officer, and attorneys from the Office of Chief Counsel. **(c) & (d)** considerations of vacancies and term limits will be addressed by member organizations.

(6) SUBCOMMITTEE BALANCE

Subcommittees subject to FACA should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different*

**This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

The process for determining FAC member balance on subcommittees will be the same as the process for the parent FAC.

(7) OTHER

Provide any additional information that supports the balance of the FAC

(8) DATE PREPARED/UPDATED

Insert the actual date the Membership Balance Plan was initially prepared, along with the date(s) the Plan is updated

February 24, 2011.